

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42819 of 2016

1. Laxman Prasad Son of Late Saryu Prasad resident of Bazminagar
Nalband Toli, Buxar, Police Station- Buxar Town in the district of Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate

For the Opposite Party/s : Smt. Pronati Singh, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 26-10-2016 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

The present application has been filed for modification of order dated 04.11.2015 passed in Cr. Misc. No. 46064 of 2015 for extending the period of surrender. Earlier also in Cr. Misc. No. 3464 of 2016 the petitioner had sought modification of the aforesaid order, which was allowed on 21.01.2016 by extending the period of surrender for two weeks.

Learned counsel for the petitioner submits that in the initial order passed in Cr. Misc. No. 46064 of 2015 period of his surrender before the Court below within six weeks was with a condition to surrender along with the Bank draft of Rs. eight lakh and 35 thousands. Now he has arranged and has made payment of

the same to the informant. He also submits that he could not surrender within time as his mother was suffering from cancer and he had to travel to Mumbai for her treatment.

Accordingly, the period of surrender is extended by four weeks from the date of receipt/production of the copy of this order in connection with Buxar P.S.Case No. 510 of 2014 pending in the Court of learned Additional Chief Judicial Magistrate, Buxar. The other conditions stipulated in the order dated 04.11.2015 will remain same provided the learned Court below is satisfied that petitioner has paid Rs. eight lakh and thirty five thousands to the informant. The order dated 04.11.2015 stands modified to the extent indicated above.

Accordingly, this modification application stands disposed of.

(Nilu Agrawal, J)

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